IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 298 OF 2005

IN

FIRST APPEAL NO. 242 OF 2004

MR.ROQUE A.L.DORES DA SILVA ....Applicant

Versus

SPECIAL LAND ACQUISITION OFFICER(SOUTH GOA) AND ANR., ...Respondents

Shri F.M. Reis, Advocate for the Applicant.
Mr.A.D.Bhobe, Advocate for the Respondents.

Coram:- R. M. LODHA, J.

Date:- 28th October, 2005

P.C.:

Heard.

Shri A.D. Bhobe, learned counsel for the appellants in First Appeal submits that the appellants admit the calculation made by the present applicant and as per the said calculation, an amount of Rs.2,37,678 ought to have been deposited by the appellants. The learned counsel for the appellants prays for four weeks time for depositing the balance amount.

The learned counsel for the appellants also has no objection if the applicant is allowed to withdraw 50% of the amount on the condition that may be imposed by this Court.

Accordingly, this Misc. Civil Application is disposed of by the following Order :-

(i) The appellants shall deposit the balance amount after adjusting the sum of Rs.1,95,425/- from Rs.2,37,678/- within four weeks from today.

(ii) The applicant is permitted to withdraw 50% of Rs.2,37,678/- after furnishing a solvent surety/bank guarantee to the satisfaction of the Registrar of this Court for restitution of the said amount in the event of the appellants succeeding in First Appeal No..242/2004.

(iii) The balance amount (50% of Rs.2,37,678/-) shall be invested by the Registrar in the fixed deposit in a nationalised Bank initially for a period of two years, renewable thereafter each time for the same period until disposal of the First Appeal.

Misc. Civil Application stands disposed of.

R. M. LODHA, J.

sl.